

## Article - Labor and Employment

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§9–1107.

(a) An employer who self insures under § 9–405 of this title or participates in a governmental self–insurance group under § 9–404 of this title and fails to apply to the Commission for approval of the self–insurance plan of the employer or governmental self–insurance group in accordance with § 9–403 of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.

(b) An employer who is subject to this title and fails to secure payment of compensation in accordance with § 9–402 of this title or fails to pay an award of compensation is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.

(c) If the employer is a corporation, the officer of the corporation who has responsibility for the general management of the corporation in the State is subject to the fine and imprisonment specified in subsection (a) or (b) of this section.

(d) (1) A fine imposed on an employer under this section shall be:

(i) paid to the State Treasury and credited to the Commission;  
and

(ii) used to pay, wholly or partly, an award made against the employer by the Commission.

(2) A disbursement under this subsection shall be made in the same manner as a disbursement of other money of the Commission.

(3) Any part of the fine that is not required to pay an award shall be transferred to the General Fund of the State.

(e) A court may remit a penalty only if the employer who is in default:

(1) secures payment of compensation in accordance with § 9–402 of this title; and

(2) pays or secures payment of all compensation and other benefits awarded against the employer under this title.

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